

IN THE DRAWINGS

Applicant notes the Examiner's request that the Applicant submit a corrected formal drawing for Fig. 2. Applicant has ordered a formal drawing and will file it as soon as it is completed.

REMARKS

A. The Section 102 Rejections

Claims 1-3, 5, 16, 17, 19-22, 24, 35-36 and 38 were rejected under 35 USC 102(b) as allegedly being anticipated by Schipper et. al., U.S. Patent No. 6,038,444 ("Schipper"). Claims 1, 3, 16-20, 22 and 35-38 were rejected under 35 USC 102(e) as allegedly being anticipated by Cohen et al., U.S. Patent No. 6,463, 265 ("Cohen"). Applicants disagree and traverse these rejections for at least the following reasons.

Each of the claims of the present invention includes the features of: receiving a plurality of vectors associated with a mobile unit, detecting multipath propagation when at least two of the plurality of received vectors include identical location and time coordinates and performing a handoff when multipath propagation is detected.

In contrast, neither Schipper nor Cohen discloses the reception of a plurality of vectors associated with a mobile unit, the detection of multipath propagation when at least two of the plurality of received vectors include identical location and time coordinates and the performance of a handoff when multipath propagation is detected.

The excerpts from Cohen (see page 13 of the Office Action) referenced by the Examiner disclose a “data receiver” (mobile) that provides a “hand-off controller” with its “spatial co-ordinates” and “location information” the receiver has obtained from a user. However, Cohen does not disclose or suggest the co-ordinates and information are provided to the controller using a plurality of vectors as in the claims of the present invention. Further, neither Cohen nor Schipper discloses or suggests a handoff when multipath propagation is detected.

Accordingly, because neither Schipper nor Cohen discloses each and every feature of the claimed inventions, neither can provide a basis for rejection under 35 U.S.C. §102. Reconsideration, withdrawal of the rejections and allowance of claims 1-3, 5, 16-22, 24, 35-38 is respectfully requested.

B. The Section 103 Rejections

Claims 1, 15, 20 and 34 were rejected under 35 U.S.C. 103(a) based on a combination of U.S. Patent No. 5, 572, 221 to Marveli et al., (“Marveli”) and

Schipper. Claims 1, 2, 5, 20-21 and 34 were rejected under U.S.C. 103(a) based on a combination of Pub. No.: US 2002/0132628 to Matsumoto et al. ("Matsumoto") and Schipper. Claims 1, 3, 6-9, 11-14, 16-17, 19-20, 22, 25-28, 30-33, 35-36 and 38 were rejected under 35 USC 102(e) as allegedly being anticipated by US Patent No. 6, 522,888 to Garceran et al. ("Garceran") and Schipper. Claims 10 and 29 were rejected under 35 USC 103(a) as allegedly being unpatentable over Cohen and U.S. Patent No. 6, 001,971 to Jolma ("Jolma"). Applicants disagree and traverse these rejections for at least the following reasons.

With respect to all of the rejections except for those relating to claims 10 and 29, Applicants respectfully submit that each of the rejected claims depends on either independent claim 1 or 20 and is, therefore, patentable over the references relied on by the Examiner for the reasons set forth above and because the additional references cited by the Examiner do not make up for the deficiencies of Schipper and Cohen.

With respect to the rejections of claims 10 and 29, Applicants note that these claims have been cancelled and their subject matter placed into independent claims 1 and 20.

In addition, Applicants note that it is in the rejections of claims 10 and 29 that the Examiner relies upon Cohen for the disclosure of the reception of a

plurality of vectors. As pointed out above, however, no such disclosure or suggestive disclosure is set forth in Cohen.

Further, Applicants note that although Jolma broadly discusses one cause of multipath propagations it does not disclose or suggest a method for carrying out a hand-off when such propagations involve a plurality of received vectors that include identical location and time coordinates as in claims of the present invention.

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-3, 5-9, 11-17, 19-22, 24, 25-28, 30-33, 35-36 and 38.

C. Entry of Amendment After Final (AAF)

Entry of this AAF is solicited because the AAF: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues regarding further search and/or consideration; (c) does not present any additional claims without canceling the corresponding number of finally rejected claims; and (d) places the application in better form for appeal, if an appeal is necessary.

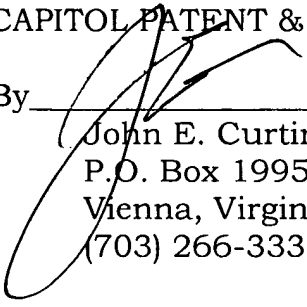
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC

By



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